

REMARKS

- I. Reconsideration of the rejection of claims 1-40 under 35 U.S.C. §112, first paragraph is respectfully requested.

Reconsideration of the rejection of claims 1-40 is respectfully requested. The Examiner stated that the claims 1-40 contained subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventors at the time of the application had possession of the claimed invention. The Examiner states "that the reference to the springs having 'compressive tensioning' force is unclear."

The Applicant has amended the specification to delete the phrase "compressive tension"; however, it should be understood that both the original specification and the specification as now amended, fully and clearly describe the present invention in a way that those skilled in the art would understand.

The specification refers to a "compressive tension" at page 12, line 18 with respect to the first biasing member 100 shown in Fig. 12. The words "compressive tension" mean that the biasing member 100 is compressed and under tension i.e., the biasing member 100 exerts a force both on the engagement member 110 and the roll pin 98. This can be readily seen by comparing the position of the first and second biasing members 100 and 104 in Fig. 2 with the position of the first and second biasing members 100 and 104 in Fig. 3. The discussion at page 12, line 28 and 29, concerning "compressive tension" describes that the second biasing member 104 is no longer

compressed and under tension, but that the first biasing member 100 is now compressed and under tension.

Similarly, at page 13, at line 21, the compressed state of the first biasing means 100 is discussed with respect to the position of the first biasing member, as shown in Fig. 4.

Also similarly, at page 13, lines 28 and 29, by releasing the "compressive tensioning" force on the handle, the first biasing member 100 exerts a biasing force on the securing mechanism 80 in a direction toward the engagement member 110.

Thus, the language "compressive tension" describes an action of a spring (biasing member) when the spring is compressed. The spring is under a tension and puts a force on whatever is holding the spring in that position. This is described in detail in the specification and can be readily seen by comparing the relative positions of the first biasing member 100 and the second biasing member 104 by reviewing, in sequence, Figs. 2, 3, 4 and 5. Applicant submits that the claims are patentably distinct and convey the invention to one skilled in the art since the claims themselves do not contain any "compressive tensioning" language.

Therefore, the Applicant submits that the claims 1-40 meet the requirements of 35 U.S.C. §112, first paragraph, and the Examiner is respectfully requested to withdraw this rejection of claims.

II. Reconsideration of the rejection of claims 1-21 and 30 under 35 U.S.C. §112, second paragraph, is respectfully requested.

The claims have been amended as follows:

With respect to the phrase "the vertical support" as set forth in claim 3, claim 1 has been amended to recite at line 11, a means for locking the securing means to the first support and claims 3 has been amended to recite a first support.

With respect to claim 15 and the phrase "the horizontal support", claim 15 has been amended to recite the second support.

With respect to claim 30 and the phrase "the first biasing member", claim 30 has been amended to depend from claim 29.

Applicant submits that such amendments to the claims overcome the Examiner's rejection and the Examiner is respectfully requested to withdraw this rejection of the claims.

III. Reconsideration of the rejection of claims 1-8, 13-19 and 22-29 under 35 U.S.C. §102(b) over the Perry U.S. Patent No. 3,396,817 reference is respectfully requested.

The present invention relates a scaffold system having at least one support removably secured to a second support by a locking and securing device, which device has both a securing means and a locking means which are both rotatably moveable about a longitudinal axis. This longitudinal rotation (i) allows the securing means to be

moveable between a secured position and a unsecured position and further (ii) allows the locking means to be moveable and between a locked position and an unlocked position.

The scaffold system of the present invention is simple, elegant and user friendly. In addition, a major advantage of the inventive scaffold system over the prior art scaffolds is that the handle on the present inventive scaffold is ergonomically designed such that it is more comfortable and produces less strain on the fingers. Another advantage is that there are no threaded portions on the inventive scaffold system. Thus, the user of the present inventive scaffold system does not have to be concerned with the many problems that typically occur with threaded locks such as cross threading of the lock during use, burrs on any threads which cause difficulty in assembling or locking, paint build-up in the threads, and the like. Still another advantage of the present inventive scaffold system is that securement of the present inventive scaffold system is easily and ergonomically achieved by a one-half turn of the handle. In the prior art locks, several full turns are needed to move the lock. Yet another advantage of the present inventive scaffold system is that the one-half turn needed to secure the inventive scaffold system provides an easy visual check to see if the inventive scaffold system is secured. In the prior art locks, a close inspection is needed to see if the lock has been sufficiently moved to a locked position. New claims 41-75 have been added to further claim such features. Support for such new claims is found by viewing the Figures 2-5 and, in particular, in the specification at page 13 through page 15.

There is no teaching or suggestion in the Perry reference of rotating the holding pin 34 about an axis such that any securing means is moved both between a secured position and an unsecured position and between a locked position and an unlocked position. Rather, the Perry reference requires screw threads 38 through a threaded collar member 42 in order to hold the frame and pieces together. The Perry reference does not have the advantage of the locks being first secured and then, further locked to hold the pin in place. Therefore, the Perry reference teaches away from the present invention.

Further, there is no teaching in the Perry reference of a handle, as described in claim 4 in the instant invention, which is integrally formed with the locking means. Still further, the Perry reference fails to teach or suggest a handle means as described in claim 13 which describes a handle and a securing pin at an angle with respect to each other and in the same plane with respect to each other. Rather, the Perry reference has no handle at all rather just a pin 34 which extends in a one direction only.

In another embodiment of the present invention, as recited in independent claim 22, the securing mechanism described therein includes a longitudinally extending securing pin and a handle positioned in a spaced apart and substantially center relationship with respect to the securing pin. The Perry reference has no handle. Rather, the Perry holding pin 34 extends through a portion of the frame member 40 which is welded to the support 30 in the Perry reference.

In contrast, in the present invention, it can be easily seen by reading the specification and, further by viewing the figures, that a securing pin and a handle are positioned in a spaced apart and substantially centered relationship with respect to the securing pin. In addition, the dependent claims 23-29, which depend from claim 22, further describe useful embodiments of the present invention where the handle is positioned in a spaced apart relationship to, and at substantially a center point of the securing pin. In certain other embodiments, as recited in claims 6-7 and 27-28, a locking and securing device has an engagement member and a securing mechanism. The securing mechanism includes a securing pin which extends in an axial manner through the engagement member. A handle is operatively connected to a second end of the securing pin. The handle is in a spaced apart and substantially coaxial centered relationship with respect to the securing pin. A locking member is integrally formed with the handle. Each of these claims is also patentably distinct over the Perry reference which does not teach or suggest any of these features. Therefore, the Examiner is respectfully requested to withdraw this rejection of the claims.

IV. Reconsideration of the rejection of:

(i) claims 9-12 and 30-33 under 35 U.S.C. §103(a) over the Perry '817 reference in view of the Weiland U.S. Patent No. 1,315,266 reference and

(ii) the rejection of claims 9-12, 15 and 30-33 under 35 U.S.C. §103(a) over the Perry '817 reference in view of the Weiland reference is respectfully requested.

Claims 9-12 depend from dependent claim 8 which, in turn, depends from independent claim 1. Claim 1 has been amended to recite that the force is supplied substantially at a coaxial centerpoint of the securing means. Claim 9 recites that the securing means has a second biasing means for holding the locking means in a locked position.

Claims 30-33 depend from independent claim 22. Claim 22 has been amended to recite a securing means moveable by using a force at a substantially coaxial center point of the securing means. Support for such amendment is found in the specification at page 9, lines 9-10 and 26-29, page 13, line 12, and as clearly shown in Figs. 2-5. Claim 22 has been amended to recite that the securing mechanism is in "a substantially coaxial centered relationship".

The present invention is an improvement over the Perry reference since movement of the securing means in the present invention is accomplished by using a force at a substantially coaxial center point of the securing means. The securing means allows the locking and securing device of the present invention to be readily between two positions – 1) secured/unsecured and 2) locked/locked.

According to the present invention, the securing means 80 is integrally formed with the locking means 88 such that movement of the securing means necessarily moves the locking means. Thus, the securing means is axially moveable so as to be moved from the secured to the unsecured position. It is the axial movement followed

by the radial rotation of the securing means that causes the locking means to be moved to a locked position.

The Perry reference fails to teach or suggest a lock having two positions for opposing supports of a scaffold together as discussed in detail above. Further, the Perry reference is not rotatably moveable about a longitudinal axis.

The present invention is also patentably distinct over the Weiland et al. reference which fails to supply any of the deficiencies of the Perry reference.

Claim 1 has been amended to recite that the securing means is moveable by using a force at substantially a coaxial center point of the securing means as defined by a longitudinal axis extending through the securing means.

The Weiland et al. reference describes a spring latch for windows and doors where the latch is also used as a locking bolt. The Weiland reference describes a bolt 11 and a perpendicularly positioned screw 14. The Weiland screw 14 is positioned within a sleeve 16 such that the screw and sleeve form a trigger-like finger piece. Movement of the Weiland bolt 11 requires a perpendicular, or tangential, force on the sleeve 16. The Weiland bolt 11 moves in a longitudinal direction due to this offset, non-coaxial force put on the sleeve 16. Thus, the non-coaxial force applied in the Weiland reference is at a 90° angle with respect to the movement of the bolt; that is, the force is "offset" and not being applied coaxially to the bolt. As such, the Weiland reference teaches away from the present invention by requiring a non-coaxial force applied to the bolt.

Claims 9-12 and claims 30-33 describe embodiments where the first and second biasing means are spaced apart from one another by a rivet pin extending radially through the securing means. No tangential force is applied to the rivet pin to move the locking and securing device.

Thus, the Weiland et al. reference fails to describe a securing means which is moveable by using a force at a substantially coaxially center point of a securing means.

There is no teaching or suggestion in either the Perry or the Weiland references of a "two-position locking device" capable of moving a securing means and a locking means in a rotatably moveable manner around a longitudinal axis extending through the securing means and further allowing the securing means to be moveable between a secured position and a locked position. Neither the Perry reference nor the Weiland reference, taken alone or in combination, teaches a locking device which can be in a secured, yet unlocked position, and then be in a secured and locked position. Rather, in both the Perry and Weiland references, the locks are either locked or unlocked. There is no intermediate, or "secure", position, as described in the present invention. The discussion of the rivet pins in claims 11, 12, 32 and 33 describe further embodiments of the present invention for spacing apart the second biasing means. Thus, claims 11, 12, 32 and 33 are further patentably distinct over the invention described in independent claims 1 and 22.

The Perry and Weiland references, taken alone or in combination, fail to teach or suggest the present invention. Therefore, the Examiner is respectfully requested to withdraw this rejection of the claims.

V. Reconsideration of the rejection of claims 9-12 and 30-40 under 35 U.S.C. §103 over the Masuda U.S. Patent No. 4,263,984 reference in view of the Weiland reference is respectfully requested.

Claims 9-12, as discussed above, describe a scaffold system where the securing means further includes a second biasing means to hold the locking means in a locked position.

Claims 30-33 depend from independent claim 22, discussed above. Claims 30-33 recite an embodiment where the securing mechanism on the scaffold system has a second biasing member.

Independent claim 34 describes a locking and securing device having a handle operatively connected to a securing pin and in a spaced apart and coaxially centered relationship with respect to the securing pin. Claims 35-40 depend from claim 35 and describe further embodiments of the present invention.

The Masuda reference shows a scaffold used as a work bench. In the Masuda reference, a socket and stopper, as shown in Fig. 6 therein, has a T- or L-shaped pin slideably inserted in a guide pipe. The Masuda reference shows a pin that is secured in the open or unlocked position, but provides no mechanism to secure the pin in the

closed or locked position. There is no teaching or suggestion of moving the Masuda pin to a locked position. There is also no teaching or suggestion in the Masuda reference of further moving the Masuda pin to a secured position such that two motions are needed to unlock and unsecure the pin. Rather, there is nothing to prevent the pin in the Masuda reference from becoming dislodged. According to the Masuda reference, there is no hook or locking member to secure the pin within the aperture.

Rather, the Masuda reference relies on a hook bolt which is positioned on different sections of the scaffold, as is shown in Figs. 3 and 4 of the Masuda reference. Further, the Masuda hook uses a rotating nut to hold support posts against an opposing post. The Masuda reference also requires manipulation of two separate devices in order to lock the scaffolding, and yet, the Masuda reference does not prevent accidental dislodging of the pin 32 from the support post. The Weiland, as fully discussed above, fails to teach or suggest the locking and securing features of the present invention. Further, the Weiland reference fails to supply any deficiencies of the Masuda reference.

There is no teaching or suggestion either in the Masuda or Weiland references, taken alone or in combination, that a locking member has a distal end which engages an engagement member in order to lock the securing pin such that the securing pin cannot be dislodged except by the two movements of (i) displacing of the securing pin in a longitudinal direction and then (ii) by rotating the handle radially about an axis through the securing pin.

Further, in certain embodiments of the present invention, as recited in claims 36-37, the locking member includes an engaging section having a distal end for engagement with the engagement means when the locking member is a locking position. As shown in the figures in the present invention (as particularly shown in Fig. 4 and Fig. 5), the locking member 88 has a distal end 89 which is secured to the engagement member 110 when the securing mechanism is rotated about an axis through the securing pin. Neither the Masuda nor the Weiland references teach or suggest such additional feature.

Therefore, the present invention is patentably distinct over the cited references and the Examiner is respectfully requested to withdraw this rejection of the claims.

VI. Reconsideration of the rejection of claim 20 under 35 U.S.C. §103(a) over the Perry reference in view of the Swiderski et al. U.S. Patent No. 5,069,309 reference is respectfully requested.

Dependent claim 20 describes a particular embodiment of the present invention for the scaffold system which has at least one guide rail socket for receiving one end of a guide rail where the guide rail is adjacent and substantially parallel to a channel member that receives a portion of the second support of the scaffold system.

The Perry reference, as fully described above, fails to teach or suggest the present invention. The Swiderski reference merely shows a guide rail socket which is positioned above a lock. It would not be obvious to take the guide rail socket 44 of

Swiderski, which is positioned above the lock, and have the guide rail socket 44 extend through the lock of the Swiderski. Further, as shown in the Perry and Swiderski references, the extending pin 34 of the Perry reference and the legs of the second moveable U-shaped member 53 only extend through one channel member. There is no teaching or suggestion of having a pin extending through two channels.

According to the present invention, claim 20 describes an embodiment where the pin 82 is supported by the guide rail socket 40 and the channel 60. This support provides further stability to the scaffold system and spreads the forces or stresses on the pin over a wider area. This provides an improvement in the stability of the securing and locking device such that it can withstand much greater forces than either the Perry or Swiderski scaffolds. Therefore, neither the Perry nor Swiderski references, taken alone or in combination, teach or suggest the present invention and the Examiner is respectfully requested to withdraw this rejection of the claims.

VII. Claims 41-75 are being added to further define the present invention.

The new claims 41-75 described the relative position of the handle and pin in an x-y-z relationship. Support for such new claims is found in the specification at page 10, line 23-page 11, line 5, page 12, lines 25-29, page 13, lines 14-18, and 27, page 14, line 26, and page 16, line 6. The claims 41-75 are also patentably distinct and a favorable action is respectfully requested.

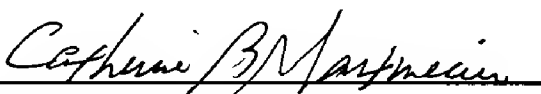
VIII. Claim 21 is amended to be in allowable form.

Applicant notes with appreciation that claim 21 was found to be allowable. Claim 21 has been amended to incorporate the language of the intervening claims.

New claims 47-61 depend from allowable claim 21 and are added to further define the present invention. Allowance of these claims is also respectfully requested.

In view of the amendments to the claims and the arguments contained herein, Applicant submits that the present invention is patentably distinct over the cited references and the Examiner is respectfully requested to issue a favorable action.

Respectfully submitted,


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Marked-up Version of the Amended Claim(s)

(37 C.F.R. 1.121(c)(1)(ii))

Please amend the claims as follows:

1. (Amended) A scaffold system comprising at least one first support and at least one second support and at least one locking and securing device for removably securing and locking the first support to the second support, the locking and securing device having a means for securing the first support to the second support, the securing means being movably attached to the first support and being movable between a secured position and an unsecured position with respect to the second support by using a force at a substantially coaxial center point of the securing means; and a means for locking the securing means to the first support when the securing means is in the secured position in the second support, the locking means being integrally formed with the securing means;

the securing means and the locking means being rotatably moveable about a longitudinal axis extending through the securing means and being longitudinally moveable along the longitudinal axis thereby allowing the securing means to be moveable between the secured position and the unsecured position and thereby allowing the locking means to be moveable between a locked position and an unlocked position.

3. (Amended) The scaffold system of claim 2, wherein the securing pin is positioned at an angle with respect to the ~~vertical~~ first support.

15. (Amended) The scaffold system of claim 14, wherein the ~~horizontal~~ second support defines an engagement member for engagement with the locking means when the locking means is in the locked position.

21. (Amended) ~~The scaffold system of claim 21,~~ A scaffold system comprising at least one first support and at least one second support and at least one locking and securing device for removably securing and locking the first support to the second support, the locking and securing device having a means for securing the first support to the second support, the securing means being movably attached to the first support and being movable between a secured position and an unsecured position with respect to the second support by using a force at a substantially coaxial center point of the securing means; and a means for locking the securing means to the first support when the securing means is in the secured position in the second support, the locking means being integrally formed with the securing means;

the securing means and the locking means being rotatably moveable about a longitudinal axis extending through the securing means and being longitudinally moveable along the longitudinal axis thereby allowing the securing

means to be moveable between the secured position and the unsecured position and thereby allowing the locking means to be moveable between a locked position and an unlocked position;

wherein the second support includes at least one opening for receiving the securing means when the securing means is in the secured position;

wherein the first support includes a channel member for receiving a portion of the second support when the first support is secured to the second support;

wherein the channel member defines at least one opening for receiving a portion of the securing means;

further including at least one guide rail socket for receiving one end of a guide rail, the guide rail socket being adjacent and substantially parallel to the channel member; and

wherein the guide rail socket defines first and second openings that are in opposing sides of the guide rail socket for receiving a portion of the securing means.

22. (Amended) A scaffold system comprising at least one first support and at least one second support and at least one locking and securing device for removably securing and locking the first support to the second support, the locking and securing device comprising a securing mechanism, the securing

mechanism including a longitudinally extending securing pin and a handle positioned in a spaced apart and substantially coaxial centered relationship with respect to the securing pin, the securing mechanism further including a locking member positioned adjacent the handle in a spaced apart relationship to the securing pin;

the securing pin being moveable between a secured position and an unsecured position and the locking member being moveable between a locked position and an unlocked position.

30. (Amended) The scaffold system of claim ~~25~~ 29, wherein the securing mechanism further includes a second biasing member coaxially positioned on one end of the securing pin in a spaced apart relationship to the first biasing spring member.

34. (Amended) A scaffold system comprising at least one first support and at least one second support and a locking and securing device for removably securing the first support to the second support, the locking and securing device comprising an engagement member and a securing mechanism having a securing pin extending in an axial direction through the engagement member,

the securing pin having a radially extending opening extending therethrough for receiving a rivet pin,

a first biasing member coaxially positioned on the securing pin between the rivet pin and a first end of the securing pin,

a second biasing member coaxially positioned on the securing pin between the rivet pin and a second end of the securing pin,

a handle operatively connected to the second end of the securing pin and in a substantially coaxial centered relationship with respect to the securing pin, and,

a locking member integrally formed with the handle.

Please add the following new claims.

41. (New Claim) The scaffold system of claim 2, wherein the handle is in a plane extending through a line defined by a Y axis and the securing pin is in a plane extending through a line defined by an X axis, the securing pin and handle being in the same plane as defined by the X and Y axes; the securing pin also being in a spaced apart and parallel relationship with an extending section of the locking member which is also in a plane defined by the X axis.

42. (New Claim) The scaffold system of claim 41, further including an engaging means in a spaced apart relationship to the handle, the engaging means being in a plane extending through a line defined by a Z axis in a direction away from the X axis, wherein the Z axis is perpendicular to both the X and Y axes such

that a distal end extends from the engaging means in a direction toward the handle whereby the distal end is in a second plane extending through a line defined by a second Y axis.

43. (New Claim) The scaffold system of claim 22, wherein the handle is in a plane extending through a line defined by a Y axis and the securing pin is in a plane extending through a line defined by an X axis, the securing pin and handle being in the same plane as defined by the X and Y axes; the securing pin also being in a spaced apart and parallel relationship with an extending section of the locking member which is also in a plane defined by the X axis.

44. (New Claim) The scaffold system of claim 43, further including an engaging means in a spaced apart relationship to the handle, the engaging means being in a plane extending through a line defined by a Z axis in a direction away from the X axis, wherein the Z axis is perpendicular to both the X and Y axes such that a distal end extends from the engaging means in a direction toward the handle whereby the distal end is in a second plane extending through a line defined by a second Y axis.

45. (New Claim) The scaffold system of claim 34, wherein the handle is in a plane extending through a line defined by a Y axis and the securing pin is in a

plane extending through a line defined by an X axis, the securing pin and handle being in the same plane as defined by the X and Y axes; the securing pin also being in a spaced apart and parallel relationship with an extending section of the locking member which is also in a plane defined by the X axis.

46. (New Claim) The scaffold system of claim 45, further including an engaging means in a spaced apart relationship to the handle, the engaging means being in plane extending through a line defined by a Z axis in a direction away from the X axis, wherein the Z axis is perpendicular to both the X and Y axes such that a distal end extends from the engaging means in a direction toward the handle whereby the distal end is in a second plane extending through a line defined by a second Y axis.

47. (New Claim) The scaffold system of claim 21, wherein the securing means includes a securing pin and a handle positioned in a spaced apart relationship to and at substantially the center point of the securing pin.

48. (New Claim) The scaffold system of claim 47, wherein the securing pin is positioned at an angle with respect to the first support.

49. (New Claim) The scaffold system of claim 47, wherein the handle is integrally formed with the locking means.

50. (New Claim) The scaffold system of claim 47, wherein the locking means includes an engaging means for engagement with the first support when the locking means is in the locked position.

51. (New Claim) The scaffold system of claim 50, wherein the first support is operatively connected to an engagement means for engagement with the engaging means of the locking means.

52. (New Claim) The scaffold system of claim 51, wherein the securing means is positioned at an angle with respect to the engagement means and extends through an opening in the engagement means.

53. (New Claim) The scaffold system of claim 22, wherein the securing means further includes at least one biasing means for holding the securing means in the secured position.

54. (New Claim) The scaffold system of claim 53, wherein the securing means further includes a second biasing means for holding the locking means in the locked position.

55. (New Claim) The scaffold system of claim 54, wherein the first biasing means and the second biasing means are coaxially positioned on the securing means.

56. (New Claim) The scaffold system of claim 55, wherein the first and second biasing means are spaced apart from one another by a rivet pin extending radially through the securing means.

57. (New Claim) The scaffold system of claim 48, wherein the rivet pin is positioned in the securing pin at substantially a midpoint along a longitudinal length of the securing means.

58. (New Claim) The scaffold system of claim 47, wherein the handle and the securing pin are at an angle with respect to each other and are in the same plane with respect to each other.

59. (New Claim) The scaffold system of claim 58, wherein the locking means includes an engaging means which is in a spaced apart relationship to the handle and is positioned at an angle to the handle, the engaging means and the handle each defining planes that are perpendicular to each other.

60. (New Claim) The scaffold system of claim 59, wherein the second support defines an engagement member for engagement with the locking means when the locking means is in the locked position.

61. (New Claim) The scaffold system of claim 60, wherein the engagement member is operatively connected to the first support.

62. (New Claim) The scaffold system of claim 1, wherein the securing means has no threaded portion.

63. (New Claim) The scaffold system of claim 1, wherein the locking means has no threaded portion.

64. (New Claim) The scaffold system of claim 1, wherein the securing means and the locking means are secured by being rotated about one half turn.

65. (New Claim) The scaffold system of claim 1, wherein the securing means and the locking means are secured by being rotated about 160° to about 180°.

66. (New Claim) The scaffold system of claim 21, wherein the securing means has no threaded portion.

67. (New Claim) The scaffold system of claim 21, wherein the locking means has no threaded portion.

68. (New Claim) The scaffold system of claim 21, wherein the securing means and the locking means are secured by being rotated about one half turn.

69. (New Claim) The scaffold system of claim 21, wherein the securing means and the locking means are secured by being rotated about 160° to about 180°.

70. (New Claim) The scaffold system of claim 22, wherein the securing mechanism has no threaded portion.

71. (New Claim) The scaffold system of claim 22, wherein the securing mechanism is secured by being rotated about one half turn.

72. (New Claim) The scaffold system of claim 22, wherein the securing mechanism is secured by being rotated about 160° to about 180° .

73. (New Claim) The scaffold system of claim 34, wherein the securing mechanism has no threaded portion.

74. (New Claim) The scaffold system of claim 34, wherein the securing mechanism is secured by being rotated about one half turn.

75. (New Claim) The scaffold system of claim 34, wherein the securing mechanism is secured by being rotated about 160° to about 180° .



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Marked-up Version of the Replacement Paragraph(s)/Section(s)

(37 C.F.R. 1.121(b)(1)(iii))

At page 12, line 17, delete the word "compressive".

Fig. 2 shows the locking and securing device 10 in an open and unsecured position. The securing mechanism 80 is held or suspended from the side rail 14 by the engagement member 110. In the embodiment shown, the engagement member 110 has a substantially L-shape; however, other shapes are also within the contemplated scope of the invention. The pin 82 of the securing mechanism 80 extends through an opening 112 in a first arm 114 of the engagement member 110. The engagement member 110 has a second arm 116 which extends at an angle from the first arm 114 in a direction toward the first end 90 of the pin 82. The pin 82 axially extends through the opening 112 of the first arm 114 at substantially a right angle. In the open and unlocked position shown in Fig. 2, the second biasing member 104 is under compressive tension.

At page 12, line 28, delete the word "compressive".

At page 12, line 29, delete the word "compressive".

Referring now to Fig. 3, the locking and securing device 10 is shown in a secured position where the side rail 14 is positioned against the vertical support 18. The guard rail socket 40 defines opposing openings 120 and 122 which are in an axial relationship for receiving the pin 82. A further axially positioned opening

124 extends through the side leg 64 of the channel 60 for receiving the first end 90 of the pin 82. The pin 82 is at a right angle with respect to the guard rail support 44 and the channel 60. As shown in Fig. 3, the securing mechanism 80 is moved in a direction of the arrow A by applying a force, or pushing, on the handle 84. The securing mechanism 80 is moved in an axial direction along the X axis such that the second biasing member 104 is no longer under ~~compressive~~ tension, but the first biasing member 100 is now under ~~compressive~~ tension. The first end 90 of the pin 82 passes through the openings 120 and 122 of the guard rail socket 40 and through the opening 124 in the side leg 64 of the channel 60. The first biasing member 100 is compressed between a first side 43 of the guard rail socket 40 and the pin 98.